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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH SYLVANUS D'ELIA, JR.,

Defendant.

Case No. 2:15-cr-0056-RFB

GOVERNMENT'S MOTION TO
DISMISS CRIMINAL
INDICTMENT PURSUANT TO
FEDERAL RULE OF
CRIMINAL PROCEDURE 48(A)

The United States of America, through Elham Roohani, Assistant United States Attorney, respectfully seeks leave of court pursuant to Federal Rule of Criminal Procedure 48(a) to dismiss the Criminal Indictment filed February 25, 2015 (*See* ECF No. 1) against defendant Joseph Sylvanus D'Elia, Jr.

On July 11, 2016, the United States was provided a certified copy of Mr D'Elia's death certificate. Accordingly, the United States respectfully requests that the Criminal Indictment (ECF No. 1) against defendant Joseph Sylvanus D'Elia, Jr., be dismissed and the case be closed.

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Respectfully submitted,

//s//

ELHAM ROOHANI
Assistant United States Attorney

ORDER

IT IS SO ORDERED.



 RICHARD F. BOULWARE, II
 United States District Judge

DATED: July 20, 2016.

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the United States Attorney's Office for the District of Nevada and that I am a person of such age and discretion as to be competent to serve papers. That on July 11, 2016, I served an electronic copy of the above and foregoing **MOTION TO DISMISS CRIMINAL INDICTMENT** against defendant Joseph Sylvanus D'Elia, Jr. by electronic service (ECF) to the person named below:

Electronic Case Filing
MICHAEL L. BECKER, ESQ.
Counsel for defendant D'Elia

DATED: July 11, 2016

//s//
ELHAM ROOHANI
Assistant United States Attorney